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DIVISION OF SOCIAL JUSTICE
CIVIL RIGHTS BUREAU

October 26, 2021

By ECF

The Honorable Gabriel W. Gorenstein
United States Magistrate Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007

**Re: *In re: New York City Policing During Summer 2020 Demonstrations,*
No. 20-CV-8924
This Filing is Related to All Cases**

Dear Judge Gorenstein:

I write on behalf of all Plaintiffs (excluding the most recently-consolidated action, *Gray v. City of New York*, No. 21-cv-6610) and jointly with Defendants to provide the following proposed “protocol for ensuring that the City’s [email review] progress is reported to plaintiffs in such a manner that any problems can be brought promptly to the City’s attention, and, if necessary, to the Court’s attention,” as ordered by Your Honor. (Dkt. 279). The Parties are mindful of the Court’s directive that “[t]he protocol should be effective but not onerous for the City.” *Id.* With this submission, the Parties also request that the Court enter and So Order the proposed revised discovery schedule jointly submitted on September 28, 2021, (Dkt. 274).

Defendants will provide the following information to Plaintiffs on a weekly basis until the completion of Defendants’ final email production.

1. Narrative summary of review status and review completed during the prior week, for each review set¹.

¹ Defendants collected email from the Office of the Mayor (OTM) and NYPD. The OTM email is being reviewed by an external managed review team. For review, the NYPD email was split into two sub-sets: (1) NYPD email most likely to contain highly sensitive content implicating security and safety concerns (NYPD Internal); and (2) the remaining NYPD email (NYPD External). The NYPD External email is being reviewed by the external managed

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2. Number of documents reviewed to date, by each review team (external reviewers and internal NYPD reviewers), for each review set and platform (NexLP and Relativity)².
3. Number of documents queued for review within Relativity, for each review set.
4. Narrative summary of review expected to take place during the following week.
5. Whether Defendants are on track, based on internal assessment, for interim and final production deadlines.
6. Number of fully reviewed documents coded as responsive within each review platform (NexLP and Relativity).
7. Number of fully reviewed documents coded as privileged (either fully or partially), during Relativity review.
8. Number of attorneys working in each group (i.e., (a) external review attorneys; (b) case team attorneys performing quality control review; and (c) NYPD internal attorneys) that week.

Sincerely,

/s/ Swati Prakash

Swati R. Prakash

Jessica Clarke

Travis England

Lillian Marquez

Colleen Faherty

Conor Duffy

Civil Rights Bureau

State of New York

Office of the Attorney General

Attorneys for Plaintiffs in 21-cv-00322

CC: All counsel of record

review team. The NYPD Internal email is being reviewed by an NYPD internal review team of attorneys to protect any sensitive information.

² The continuous active learning (CAL) phase of the review is being conducted in an application called NexLP. Once the CAL review is completed, the next phase of the review is conducted in Relativity. The Relativity review includes conducting full review for responsiveness, privilege, redaction, confidentiality, and PII of documents identified as responsive within NexLP with their full families, along with documents that were not appropriate for NexLP for various reasons, such as calendar items and documents with too little or too much text.